

Sep 06, 2018

SEAN F. MCVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

HENRY LEE THACKER,

No. 4:16-CV-05165-SAB

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

SHAWNA PATZKOWSKI, RICHARD

ZARAGOZA and CARLA SCHETTLER,

Defendants.

Before the Court is Magistrate Judge John T. Rodgers' Report and Recommendation to Dismiss, Without Prejudice, For Failing to Comply Obey a Court Order, ECF No. 31, recommending the Court dismiss Plaintiff's First Amended Complaint, ECF No. 10, without prejudice, and deny Defendants' motion for summary judgment, ECF No. 22, as moot. No timely objections were filed.

After reviewing the Report and Recommendation and relevant authorities, the Court agrees with Magistrate Judge Rodgers' findings and **adopts** the Report and Recommendation in its entirety.

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1 Accordingly, **IT IS HEREBY ORDERED** that:

2 1. Magistrate Judge Rodgers' Report and Recommendation to Dismiss,

3 Without Prejudice, For Failing to Comply Obey a Court Order, ECF No. 31, is

4 **ADOPTED** in its entirety.

5 2. Defendants' Motion for Summary Judgment, ECF No. 22, is **DENIED as**
6 **moot.**

7 3. Any remaining pretrial deadlines are **STRICKEN**.

8 4. The above-captioned case is **DISMISSED without prejudice**.

9 **IT IS SO ORDERED.** The Clerk of Court is directed to file this Order,

10 forward copies to counsel, pro se Plaintiff, and Magistrate Judge Rodgers, and

11 **close** the file.

12 **DATED** this 6th day of September 2018.



16 Stanley A. Bastian

18 Stanley A. Bastian

19 United States District Judge